IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 483 OF 2005

M/s. G. T. Associates..... ... Appellant.

Versus

The Ward Officer, "D" Ward Office,
Turbhe, Navi Mumbai & anr. .. .... Respondents.

Mr. Sanjiv Sawant for the Appellant.

None for the Respondents.

CORAM : A. S. OKA, J.

DATED : 19TH APRIL, 2005.

P.C.:

Heard Shri Sawant, learned Counsel appearing for the Appellant. He states that the relief claimed in application Exhibit 56 in the trial Court can not be a relief which is covered by the Order XXII rule 3 of the Code of Civil Procedure, 1908 and the application was in substance an application for amending the description of the Appellant/Plaintiff in the cause title. He, therefore, states that the appeal from order may not be maintainable. He, therefore, seeks liberty to withdraw this appeal from order with

permission to file appropriate proceedings. Accordingly, this appeal from order is dismissed as withdrawn with liberty to the Appellant to file appropriate proceedings for challenging the impugned judgment and order.

All parties concerned to act on authenticated copy of this order.

Sd/-

(**A. S. OKA, J.**)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 546 OF 2005

IN

APPEAL FROM ORDER NO. 483 OF 2005

M/s. G. T. Associates..... ... Appellant.

Versus

The Ward Officer, "D" Ward Office,
Turbhe, Navi Mumbai & anr. .. .... Respondents.

Mr. Sanjiv Sawant for the Appellant.

None for the Respondents.

CORAM : A. S. OKA, J.

DATED : 19TH APRIL, 2005.

P.C.:

In view of the withdrawal of the Appeal from Order, this Civil Application does not survive. Hence rejected.

Sd/-

(A. S. OKA, J.)